

JUL 23 2024

David J. Smith  
Clerk

CONFIDENTIAL

Before the Chief Judge of the  
Eleventh Judicial Circuit

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Judicial Complaint Nos. 11-24-90155 through 11-24-90163

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**ORDER**

An individual has filed a Complaint against six United States district judges, two United States magistrate judges, and one former United States magistrate judge under the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§ 351–364, and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States.

**Background**

The record establishes that Complainant has filed multiple civil actions in the district court. Most recently, Complainant filed a lawsuit in which he named the Subject Judges and others as defendants, and one of the Subject District Judges was assigned to the case. Complainant filed multiple motions seeking various types of relief, including a motion to recuse the assigned Subject District Judge, and the Subject District Judge denied the motion because

the rule of necessity applied and the allegations in the motion were unsupported, irrational, and tenuous. The case remains pending.

### **Complaint**

Complainant alleges that in 2021 he had a meeting in the chambers of a judge who is not one of the Subject Judges, and all of the Subject Judges and others entered the chambers and “hand-cuffed me, shackled my ankles, put a bag over my head, beat me, and dragged me to the elevator and took me upstairs.” He alleges the Subject Judges then “beat me by punching and kicking me in the head, face, neck, shoulders, back, chest, stomach, genitals, and legs” for “an hour,” and then “beat me again this time by pistol whipping my head, shoulders, back, and chest,” “pointed a gun at my head, put fentanyl in my mouth, committed aggravated sexual assault, and rape,” “pistol whipped my head, then committed aggravated sexual battery, and aggravated sodomy,” “put a noose around my neck, tightened the noose, and put more fentanyl in my mouth,” and “hung me for a total of 15 minutes.” He states that after the incident he had to be admitted to an intensive care unit for six weeks. Complainant states the “camera footage was interfered with,” and that “two of my classmates ... were witnesses to the malicious crimes committed against” him.

Complainant further alleges that he went to the courthouse in 2023, and the Subject Judges spoke with him on the telephone where they threatened to assault and kidnap him, and “stated the motive behind this was because” of his race, because he “had an entry of default for \$2 Billion,” and because of certain “private

property.” He states the Subject Judges and others “fired several shots from the top floor” of the courthouse, then entered the clerk’s office and “pointed guns at me, illegally seized my papers, handcuffed and shackled me, put a bag over my head, and dragged me to the top floor” of the courthouse, where the Subject Judges punched and kicked him “for an hour,” “ripped my clothes off, put fentanyl in my mouth, pointed a gun to my head while committing aggravated sexual assault and rape,” “disrespected me with racial slurs, pistol whipped my head, committed aggravated sexual battery, and aggravated sodomy against me,” “put a noose around my neck, tightened the noose, put powdered fentanyl in my mouth,” and “hung me for a total of 15 minutes.” He states he believes he was kidnapped inside of the courthouse for “at least five days” with no food or water, and that when “the insurgents released” him, he drove himself to the hospital where he was admitted for six weeks. With respect to one of the Subject District Judges, Complainant also complains that the judge failed to recuse from the above-described case and failed to rule on one of his motions. He seeks various types of relief.

## **Discussion**

### **1. Former Subject Magistrate Judge**

Judicial-Conduct Rule 11(e) states, “The chief judge may conclude a complaint proceeding in whole or in part upon determining that intervening events render some or all of the allegations moot or make remedial action impossible as to the subject judge.” The Commentary on Rule 11 states in part, “Rule 11(e) implements

Section 352(b)(2) of the Act, which permits the chief judge to ‘conclude the proceeding,’ if ‘action on the complaint is no longer necessary because of intervening events,’ such as a resignation from judicial office.”

The intervening event of the Subject Magistrate Judge’s retirement render the allegations moot or make remedial action impossible. Judicial-Conduct Rule 11(e). For that reason, this Complaint proceeding is **CONCLUDED** to the extent it concerns the retired Subject Magistrate Judge. The conclusion of this proceeding in no way implies that there is any merit to Complainant’s allegations against the former Subject Magistrate Judge.

## **2. Remaining Subject Judges**

Judicial-Conduct Rule 11(c)(1)(C) states that a complaint may be dismissed in whole or in part to the extent the chief judge concludes that the complaint is “frivolous.” The Commentary on Rule 11 states, “Dismissal of a complaint as ‘frivolous’ under Rule 11(c)(1)(C) will generally occur without any inquiry beyond the face of the complaint. For instance, when the allegations are facially incredible or so lacking in indicia of reliability that no further inquiry is warranted, dismissal under this subsection is appropriate.”

Judicial-Conduct Rule 4(b)(1) provides in part that “[c]ognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.” The Commentary on Rule 4 explains the rationale for this rule as follows:

Rule 4(b)(1) tracks the Act, 28 U.S.C. § 352(b)(1)(A)(ii), in excluding from the definition of misconduct allegations “[d]irectly related to the merits of a decision or procedural ruling.” This exclusion preserves the independence of judges in the exercise of judicial authority by ensuring that the complaint procedure is not used to collaterally call into question the substance of a judge’s decision or procedural ruling. Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge — without more — is merits-related.

To the extent the Complaint concerns the remaining Subject Judges, the Complaint fails to present a basis for a finding of misconduct. Complainant’s claims related to alleged violent assaults that occurred at a courthouse on two separate occasions are frivolous. Judicial-Conduct Rule 11(c)(1)(C). To the extent Complainant takes issue with one of the Subject District Judge’s orders and failure to recuse in the above-described case, the allegations are directly related to the merits of that judge’s decisions or procedural rulings. Judicial-Conduct Rule 11(c)(1)(B). Complainant’s claims are otherwise based on allegations lacking sufficient evidence to raise an inference that any of the Subject Judges engaged in misconduct. Judicial-Conduct Rule 11(c)(1)(D). For these reasons, this Complaint is **DISMISSED** to the extent it concerns the remaining Subject Judges.

/s/ William H. Pryor Jr.  
Chief Judge